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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/575,493	05/18/2000	Regis Nicolas	PALM-3025	9702

7590 07/29/2004

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EXAMINER

GOOD JOHNSON, MOTILEWA

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 07/29/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,493

Applicant(s)

NICOLAS ET AL.

Examiner

Motilewa A. Good-Johnson

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the following communications: Application, filed on 05/18/2000; Amendment A, filed 09/29/2003; Amendment B, filed 04/13/2003.
2. Claims 1-46 are pending in this application. Claims 1, 10, 21 and 36 are independent claims.
3. The present title of this application is "Electronic System Having Multiple Display Modes for Reorienting the Display of Data on a Display Screen" (as originally filed).

Continued Examination Under 37 CFR 1.114

4. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/11/2004 has been entered.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-18, 20-23 and 29-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez et al., U.S. Patent Number 6,137,468, "Method and Apparatus for Altering a Display in Response to Changes in Attitude Relative to a Plane", class 345/672, 10/24/2000, filed on 10/15/1996, in view of Armitage, U.S. Patent Number 6,282,082, "Case for a Modular Tablet Computer System" 08/28/2001, filed 07/31/1998, 361/681.

Regarding claim 1, Martinez discloses an electronic system capable of being rotated with respect to a line of sight of a user and further having a first display mode a second display mode, and a third display mode, said electronic system comprising: a processor coupled to a bus; (microprocessor 202 connected to system bus 200, col. 3, lines 40-41); a memory device coupled to said bus; (RAM, ROM, CMOS RAM connected to system bus 200, col. 3, lines 45-55, see also figure 2); one or more display mode controls for selectively operating said electronic system in one of said first, said second and said third display modes wherein a first display orientation corresponds to said first display mode, a second display orientation corresponds to said second display mode, and a third display orientation corresponds to said third display mode; (a rotating laptop having different orientations in the X, Y and *attitude* based upon data obtained from a sensor, col. 4, lines 17-67, which Examiner interprets as having more than one display mode and further inclusive of a first, second and third orientations) and an electronic display device coupled to said bus (figure 2, element 200) wherein said electronic display device is configured for displaying visual data in a display orientation

(col. 2, lines 8-12) corresponding to a selected display mode of said electronic system, wherein each display orientation compensates for rotation of said electronic system, (maintaining window objects in response to changes in attitude, col. 4, lines 59-67, which Examiner interprets as display orientation compensation) and wherein said rotation with respect to said line of sight occurs such that said rotation avoids crossing a fixed plane. (orientation is determined relative to a fixed plane having change in orientation in response to the rotation of the processing determined by if the rotation feature is on, col. 6, which Examiner interprets as rotation avoiding crossing of a fixed plane)

However, it is noted that Martinez fails to disclose a communication port coupled to said bus, wherein each display mode depends on a position of said communication port relative to said line of sight of said user, wherein said position facilitates communication with a second electronic system via said communication port.

Armitage discloses a communication port (col. 5, lines 4-6) coupled to said bus, wherein each display mode depends on a position of said communication port relative to said line of sight of said user (col. 5, lines 7-10), wherein said position facilitates communication with a second electronic system via said communication port (col. 5, lines 14-16)

It would have been obvious to one of ordinary skill in the art to include in the invention of Martinez disclosed bus system, a communication port as disclosed in Armitage, to provide access to a communications network because communications access is a system feature which provides extensibility for business users.

Regarding claim 2, Martinez discloses electronic display device display visual data in said first display orientation . . . located in front of said user . . . second display orientation . . . right of said user . . . third display orientation . . . left of said user. (figures 5A-5C, see also col. 4, lines 50-58)

Regarding claim 3, Martinez discloses second display orientation is offset positive 90 degrees relative to said first display orientation. (laptop rotated 90 degrees, col. 4, lines 55-56)

Regarding claim 4, Martinez discloses third display orientation is offset negative 90 degrees relative to said first display orientation. (laptop rotated negative 90 degrees, col. 4, lines 35-37)

Regarding claim 5, Armitage discloses handwriting recognition, col. 8, lines 19-20.

Regarding claim 6, Armitage discloses a sleep mode (col. 5, lines 38-47)

Regarding claim 7, Armitage discloses one or more display mode controls are one or more buttons. (col. 5, line 38)

Regarding claim 8, Armitage discloses communication port is an infrared communication port. (col. 5, lines 4-5)

Regarding claims 9 and 35, Armitage discloses electronic system as a modular tablet computer, col. 3, line 65 – col. 4, line 18, which Examiner interprets as a palmtop computer system.

Regarding claims 10 and 21 they are rejected based upon similar rational as above claim 1.

Regarding claim 11, it is rejected based upon similar ration as above claim 2.

Regarding claims 36 and 37, they are rejected based upon similar rational as above claim 1.

Regarding claim 12, Armitage discloses communicating with said second electronic system via said communication port. (col. 7, lines 3-15)

Regarding claim 13, Martinez discloses second display orientation is offset positive 90 degrees relative to said first display orientation. (laptop rotated 90 degrees, col. 4, lines 55-56)

Regarding claim 14, Martinez discloses third display orientation is offset negative 90 degrees relative to said first display orientation. (laptop rotated negative 90 degrees, col. 4, lines 35-37)

Regarding claims 15-18 and 20, they are rejected based upon similar rational as above claims 5-6, 8, 7 and 9 respectively.

Regarding claims 22, 23, 29-34, they are rejected based upon similar rational as claims 7, 7-8, 5, 6, 12, 14, 2 and 9 respectively.

Regarding dependent claim 26, Armitage discloses processor communicates with said second electronic system via said communication port. (col. 7, lines 3-15)

Regarding claims 39 and 42-46, they are rejected based upon similar rational as claims 8, 5, 6, 7, 7 and 9 respectively.

Regarding claims 38, 40, and 41 they are rejected based upon similar rational as above claims 2-4 respectively.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 19 and 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Martinez in view of Armitage as applied to claim 1 above, and further in view of Kang et al., U.S. Patent Number 5,949,408, "Dual Orientation Display Handheld Computer Devices", class 345/169, 09/07/1999, filed on 02/13/1997.

Regarding claim 19, (display orientation selector is a graphical menu element displayed on said electronic display device)

Martinez and Armitage both fail to disclose a graphical menu element.

Kang discloses in figures 3 and 4 a graphical menu to perform user request such as a portrait or landscape display in a palmtop computer, col. 5, lines 1-33.

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the graphical menu of Kang in the display device of Martinez with the communication port disclosed in Armitage, because in electronic display device systems a graphical menu is displayed to control the windows, and because Martinez

discloses user input, to further allow for user-friendly display rotate commands in a business network environment.

Regarding claim 24, 27 and 28, Martinez and Armitage both fail to disclose display orientation based on a display modes selection, selector is a graphical button displayed on electronic display device, a graphical menu user selector.

Kang discloses display orientation having display mode selection with a graphical button and a menu user selector (col. 5, lines 1-50)

It would have been obvious to one of ordinary skill in the art at the time of the invention to include the graphical menu of Kang in the display device of Martinez with the communication port disclosed in Armitage, because in electronic display device systems a graphical menu is displayed to control the windows, and because Martinez discloses user input, to further allow for user-friendly display rotate commands in a business network environment.

Regarding claim 25, Armitage discloses transmitting the display mode configuration to a second system and configuring said second system. (col. 7, lines 3-15)

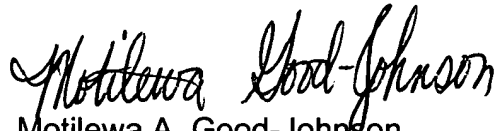
Response to Arguments

3. Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Motilewa A. Good-Johnson whose telephone number is (703) 305-3939. The examiner can normally be reached on Monday - Friday 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Razavi can be reached on (703) 305-4713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Motilewa A. Good-Johnson
Examiner
Art Unit 2672

mgj